

**Notice of Allowability**

Application No.

10/675,196

Applicant(s)

KRAWCZYK ET AL.

Examiner

Joseph A. Fischetti

Art Unit

3627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Response filed 9/18/06.
2. ☒ The allowed claim(s) is/are 21-33,36,37.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application                     |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                   |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance             |
|  | 9. <input type="checkbox"/> Other _____   |

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Atty. Johnson on 10/1/06.

### **AMENDMENT TO THE SPECIFICATION**

Page 1, line 3 after "20,2001" insert -- now US 6,626,634 issued on September 30, 2003--.

### **AMENDMENT TO THE CLAIMS**

Claims 1-20 are cancelled.

21. (Previously Presented) In a stacked product transport cart, wheel supported for travel into a delivery vehicle body having a floor, to join like carts positioned in fore to aft extending laterally spaced rows leaving an aisle between them in the delivery vehicle body, the cart having bottom supports on which stacks of product are to be supported at a level above said vehicle body floor, side and rear cart walls with interior sides, and a front side permitting the unloading of product from said bottom supports; the improvement comprising:

- (a) a first group of securing parts provided on a first of said side cart walls extending generally laterally across said wall on said interior side thereof; and
  - (b) a tarp connected to the cart and extending from a second of said side walls across the front side and having a clip engaging with a securing part on said first side the clip of the tarp is disengageable from the securing part to provide access within the cart;
- wherein the first side wall has a second group of securing parts vertically spaced apart from the first group of securing parts and the tarp has a first clip disengagably secured with a securing part in the first group and a second clip disengagably secured to a securing part in the second group.

22. (Previously Presented) The improvement of claim 21 further comprising securing parts mounted within tracks provided on the first side cart wall.

23. (Previously Presented) The improvement of claim 22 wherein the clip comprises a locking mechanism associated with the tarp and the locking mechanism cooperates with a securing part on a track

24. (Previously Presented) The improvement of claim 22 wherein the tarp has vertical edges and is disengageably secured to one of said securing parts on the first side cart wall to wrap about products within the cart from the open front side thereof and disengageably secured to a securing part on another side wall.

25. (Previously Presented) The improvement of claim 22 wherein the clip comprises a hook-like fitting for interlocking with openings in the track comprising the securing parts.

26. (Previously Presented) The improvement of claim 21 wherein the groups of securing parts extend laterally from the first side wall onto the rear wall, and a clip is attached to a securing part on the rear wall.

27. (Previously Presented) The improvement of claim 26 wherein said rear wall has an exterior side with a securing fitting thereon for receiving a clip on said tarp when the tarp is folded to a stowed inoperative position in which it extends exteriorly alongside one of the side walls and rear wall of said cart.

28. (Previously Presented) The improvement of claim 21 comprising at least one batten pocket connected to the tarp and one batten located therein.


29. (Previously Presented) The improvement of claim 21 wherein the tarp further comprises a pocket having a see through panel and holding order information.

30. (Previously Presented) The improvement of claim 21 wherein the clip is attached to the tarp by a strap having a tightening buckle.

31. (Currently Amended) A vehicle body in combination with a transport cart, supported for positioning into said vehicle body having a floor, to join like carts positioned in fore to aft extending laterally spaced rows leaving an aisle between them in the vehicle body, the carts having a bottom support on which at least one product configuration is supported on a pallet at a level above said vehicle body floor and having an accessible front side to permit the unloading of said pallet and product from said bottom support; the carts comprising: a door moveable across at least a portion of a front of the cart to urge the product configuration therein against a rear wall of the cart wherein the carts are separated in bays along side walls of the vehicle body thereby providing an aisle therebetween wherein the door is at the front of the carts and is located along the aisle when the carts are loaded on the transportation vehicle wherein the separation of the ~~transport~~ carts into bays along the side walls of the vehicle body provides an aisle between the carts extending fore-to-aft in the vehicle body to an intermediate point within the vehicle body and further comprises the placement of a bulk pallet in the vehicle body aft of the intermediate point and a raised floor in the aisle and a ramp located at a rearward end of the aisle.

32. (Previously Presented) The combination of claim 31 wherein the door further comprises a tarp.
33. (Previously Presented) The combination of claim 32 further comprising at least one batten pocket connected to the tarp and at least one batten located therein.
34. (Cancelled)
35. (Cancelled)
36. (Previously Presented) The combination of claim 32 further comprising a pocket on the tarp having a see through panel and holding order information.
37. (Previously Presented) The combination of claim 32 further comprising a strap with a tightening buckle on the tarp to urge the tarp against the product configuration.

Any inquiry concerning this communication should be directed to Joseph A. Fischetti at telephone number 571 272 6780.

  
JOSEPH A. FISCHETTI  
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